



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
2129 Jackson Street
Oshkosh, Wisconsin 54901-1805
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 56
Comm #: 54901-7136-22-A
BRRTS #: 03-71-100298
Site Name: Oshkosh Shippers (Former)
Site Address: 2822 Oregon St, Oshkosh, 54901
Site Manager: Kevin McKnight
Address: 625 E County Rd Y, Suite 700
City, State Zip: Oshkosh, WI 54901-9731
Phone: 920-424-7890
e-mail: kevin.mcknight@wisconsin.gov
Bid Manager: Robert H. Klauk
Address: 2129 Jackson Street
City, State Zip: Oshkosh, Wisconsin 54901-1805
Phone: (920) 424-0046
e-mail: Robert.Klauk@Wisconsin.Gov

Bid-Start Date:	August 11, 2008
Questions must be received by (See Section 2 (B)):	August 25, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	September 12, 2008
Bid-End Date and Time:	September 26, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Kitz Printing, 531 N. Main St., Oshkosh, WI 54901
Phone: (920) 233-1757 Fax: (920) 233-1757

SECTION 2 – Site-Specific Bid Requirements

General Comments

The former Oshkosh Shippers site is located at 2822 South Oregon Street, Oshkosh, Winnebago County. The site operated as a gasoline service and bulk storage facility for over 40 years. Previously the site contained seven underground storage tanks (USTs), five above ground storage tanks (ASTs) outside the building and eight ASTs inside the building. The USTs consisted of 550-gallon leaded gasoline, one 550-gallon unleaded gasoline, one 1,000-gallon kerosene oil, one 1,000-gallon diesel fuel, one 3,000-gallon super unleaded gasoline, one 500-gallon waste oil and one 500-gallon fuel oil. The outside ASTs contained gasoline, diesel fuel and fuel oil. The eight ASTs inside the building contained hydraulic oil, transmission fluid and motor oil.

Site soil generally consists of silty clay from four to eight feet below ground surface (bgs) underlain by dolomite bedrock. Soil contamination has been detected at concentrations exceeding Wisconsin Administrative Code chapter NR 720 generic residual contaminate levels (RCLs).

Eleven shallow groundwater monitoring wells have been installed (maximum depth 26 feet bgs) during the site investigation. Shallow groundwater has been measured from less than seven to more than 20 feet bgs. Direction of shallow ground water flow has varied; however, regional flow is to the east toward Lake Winnebago, located less than three-fifths of a mile from the site. Historically, free product has been measured in monitoring well MW-3, most recently in September 2007 (13 inches).

Minimum Remedial Requirements

One groundwater monitoring well is to be installed east of the site, on Hydrite (Hydrite) Chemical property. Permission to install the well has been approved by Hydrite and the location of the well has been agreed upon by the Department of Natural Resources (DNR) and a Hydrite representative. The groundwater monitoring well is to be installed to a depth of 25 feet with a fifteen foot screen; however, adjustment to this depth may be necessary due to field conditions. The DNR is to be provided with the boring log, well construction report and development form after installation. A map, showing the location for the proposed well and a copy of a memorandum of understanding between the DNR and Hydrite are included with the information at the copy shop.

Replace flush mounts for groundwater monitoring wells MW-2 and MW-400. Survey the top-of-casing elevations for all existing monitoring wells and the new monitoring well.

After monitoring well installation, two semi-annual rounds of groundwater sampling are to be conducted for all monitoring wells not containing free product. Samples are to be analyzed for petroleum volatile organic compounds (PVOCs) and naphthalene. Prior to sampling, water levels are to be measured in all wells. Following completion of sampling activities, all investigative waste is to be properly disposed of with documentation submitted to the DNR. Currently two full and one partially full drums of product/purge water are present onsite.

Free product recovery, using vacuum extraction (VE), is to be conducted by- monthly (6 events) in monitoring well MW-2. Free product thickness measurements are to be conducted prior to each event. A brief report documenting each VE event is to be submitted within 14 days of the event. Free product data is to be submitted in tabular format. A detailed description of the VE process is to be included in the bid. Removal and disposal of 100-gallons of liquid is to be used for bidding purposes.

Within 14 days of receiving laboratory analytical results, the DNR and offsite property owners are to be provided with a brief report that includes laboratory data results and updated site (with new well location) and groundwater flow maps; analytical results and elevation measurements are also to be submitted in tabular format. This reporting does not preclude the successful bidder from adhering to the reporting requirements outlined in Section 3 of the bid document.

Upon DNR approval, a closure request and GIS Registry packet can be submitted. After conditional closure is granted, all monitoring wells are to be properly abandoned with abandonment forms submitted to the DNR.

Bidders shall provide costs for the items in the table on page two of the bid response document. If a completed second page is not included with the bid responses, the bid will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scope-of-work items without prior approval.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Oshkosh Shippers (Former)

COMMERCE #: 54901-7136-22

BRRTS #: 03-71-100298

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

- | | | |
|--------------------------|------------------------|-----------------|
| <input type="checkbox"/> | Professional Engineer | License # _____ |
| <input type="checkbox"/> | Professional Geologist | License # _____ |
| <input type="checkbox"/> | Hydrologist | License # _____ |
| <input type="checkbox"/> | Soil Scientist | License # _____ |



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Oshkosh Shippers (Former)

COMMERCE #: 54901-7136-22

BRRTS #: 03-71-100298

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Cost for installing one monitoring well.	\$
2	Cost for surveying all monitoring wells.	\$
3	Cost for conducting VE event (100 gallons) \$_____ X 6; include reporting.	\$
4	Cost for groundwater sampling event \$_____ X 2; include lab analysis, water level elevations and reporting.	\$
5	Cost for electronic reporting.	\$
6	Cost for waste disposal.	
7	Cost for closure request and GIS Registry packet.	
8	Cost for monitoring well abandonment	\$
9	PECFA Claim Preparation	\$
10	Total Bid Amount	\$
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)		